

E-FILED IN OFFICE - NV
CLERK OF SUPERIOR COURT
GWINNETT COUNTY, GEORGIA
19-A-10263-7
12/30/2021 11:21 AM
TIANA P. GARNER, CLERK

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JEFFREY D. CORDTZ,)
Plaintiff,)
vs.) CIVIL ACTION FILE
ASPERN PROPERTIES GROUP, L.L.C.,)
As Trustee of the APG Holdings) 19-A-10263-7
Revocable Trust, and)
WILMINGTON SAVINGS FUND)
SOCIETY, F.S.B., not in its)
individual capacity but solely)
as Owner Trustee of the Aspen)
Holdings Trust, a Delaware)
Statutory Trust,)
Defendants.)

AFFIDAVIT OF DAN SCHUELLER

STATE OF KANSAS

COUNTY OF JOHNSON

Personally appeared before the undersigned duly authorized to administer oaths, DAN SCHULTE, who, after being duly sworn, deposes and states on oath as follows:

1

That I am a chief operating officer at Aspen Properties Group, L.L.C., the administrator for ASPEN HOLDINGS TRUST, a Delaware Statutory Trust ("Aspen Holdings"), that WILMINGTON



SAVINGS FUND SOCIETY, F.S.B., is the trustee of Aspen Holdings, and that I based this Affidavit on my own personal knowledge, that I am competent to testify regarding those things about which I have personal knowledge, and that I am over 18 years of age.

2.

That as of December 14, 2021, the following amounts were due and owing on the promissory note at issue in this civil action:

Principal	\$ 197,500.00
Interest (10/20/15 - 12/14/21)	\$ 89,378.99
Other fees and unpaid charges	\$ 2,159.20
Late charges	\$ <u>4,453.29</u>
TOTAL	\$ 293,491.48

3.

That the above payoff amount does not include any interest due and owing prior to October 20, 2015, which would be approximately \$50,000.00 and which Aspen Holdings and the current holder, Wilmington Savings, have decided not to pursue.

4.

That interest continues to accrue daily from December 14, 2021, in the amount of \$35.55.

5.

That this Affidavit is made in support of Wilmington Savings' motion for summary judgment.

FURTHER AFFIANT SAITH NOT.

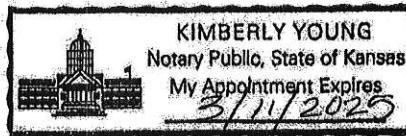


DAN SCHULTE

Sworn to and subscribed before me
this 20th day of December, 2021.

Kimberly Young
Notary Public

(Notarial Seal)



My commission expires on:

3/11/2025

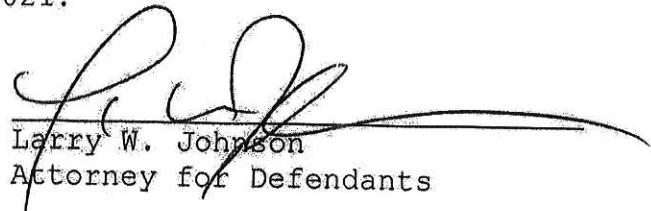
CordtzAspenSJAff04a

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing AFFIDAVIT OF DAN SCHULTE was served on all parties electronically via the Court's system, and the following who was served by mailing same by United States First Class Mail in a properly addressed envelope with adequate postage affixed thereon to ensure delivery, addressed as follows:

Richard S. Alembik, Esq.
RICHARD S. ALEMBIK, P.C.
315 West Ponce de Leon Avenue
Suite 250
Decatur, GA 30030-5100
Attorney for Plaintiff

This 30th day of December, 2021.


Larry W. Johnson
Attorney for Defendants

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